

UNITED STATES DISTRICT COURT

District of Delaware

GUARDIAN INDUSTRIES CORP.,
Plaintiff,

SUMMONS IN A CIVIL CASE

V.

DELL, INC., et al.
Defendants

CASE NUMBER: 05-27 SLR

TO: (Name and address of Defendant)
BOE HYDIS America, Inc.
c/o Delaware Secretary of State
401 Federal Street, Suite 3
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard K. Herrmann, Esq.
Morris, James, Hitchens & Williams LLP
222 Delaware Avenue, 10th Floor
Wilmington, DE 19801
302.888.6800

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

(By) DEPUTY CLERK

DATE

4/1/05

RETURN OF SERVICE

| | |
|--|-----------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE <u>4/1/05</u> |
| NAME OF SERVER (PRINT) <u>EDWARD JONES</u> | TITLE <u>Process Server</u> |

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were _____
- Returned _____
- Other (specify): PERSONALLY SERVED BOE HYDIS AMERICA, INC, BY SERVING ITS REGISTERED AGENT, DELAWARE SECRETARY OF STATE, AT 401 FEDERAL ST DOVER DE 19901, AT 3:55PM PERSON ACCEPTING SERVICE: MARTIN A M MARTIN

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
| | | |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 4/1/05

Date

Edward J Jones Jr
 Signature of Server
PARCERS INC
32 W LOCKERMAN ST
DOVER DE 19901

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of April, 2005, I electronically filed the foregoing document, **RETURN OF SERVICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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Additionally, I hereby certify that on the 6th day of April, 2005, the foregoing document

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